

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Adora King

Angel Santiago

Write the full name of each plaintiff.

2017 SEP 25 PM 3:21  
CV

(Include case number if one has been assigned)

**17CV7310**  
**COMPLAINT**

-against-

Alonzo Vernon, Gabriel Cruz, Justin Rodriguez

Larry Padgett, Kenneth Mercado

(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. LEGAL BASIS FOR CLAIM**

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: \_\_\_\_\_

**II. PLAINTIFF INFORMATION**

Each plaintiff must provide the following information. Attach additional pages if necessary.

Adora

First Name

\_\_\_\_\_

Middle Initial

King

Last Name

Shazif King

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

13299021

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Metropolitan Correctional Center

Current Place of Detention

150 Park Row

Institutional Address

New York

County, City

NV

State

10007

Zip Code

**III. PRISONER STATUS**

Indicate below whether you are a prisoner or other confined person:

☒ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☐ Other: \_\_\_\_\_

Page 2 Attachment

II. Plaintiff Information

Plaintiff #2:

Angel Santiago  
First Name Last Name

89860-053

Prisoner ID#

Metropolitan Correctional Center  
Current place of Detention

150 Park Row  
Institutional Address

New York, New York NY 10007  
County/City State Zip code

III. Prisoner Status

☒ Pretrial Detainee



Page 3 Attachment

IV. Defendant Information

Defendant 5: ALONZO VERNON Register #54755-054

Bureau of Prisons Inmate

Address UNKNOWN



## IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:	<u>Gabriel</u>	<u>Cruz</u>	<u>Register # 79103-054</u>
	First Name	Last Name	Shield #
	<u>Inmate At M.C.C. (Metropolitan Correctional Center)</u>		
	Current Job Title (or other identifying information)		
	<u>150 Park Row</u>		
	Current Work Address		
	<u>New York</u>	<u>NY</u>	<u>10007</u>
	County, City	State	Zip Code
Defendant 2:	<u>Justin</u>	<u>Rodriguez</u>	<u>Register # 79105-054</u>
	First Name	Last Name	Shield #
	<u>Inmate At Metropolitan Correctional Center</u>		
	Current Job Title (or other identifying information)		
	<u>150 Park Row</u>		
	Current Work Address		
	<u>New York</u>	<u>NY</u>	<u>10007</u>
	County, City	State	Zip Code
Defendant 3:	<u>Larry</u>	<u>Padgett</u>	
	First Name	Last Name	Shield #
	<u>Inmate At Metropolitan Correctional Center</u>		
	Current Job Title (or other identifying information)		
	<u>150 Park Row</u>		
	Current Work Address		
	<u>New York</u>	<u>NY</u>	<u>10007</u>
	County, City	State	Zip Code
Defendant 4:	<u>Kenneth</u>	<u>Mercado</u>	
	First Name	Last Name	Shield #
	<u>Inmate At Metropolitan Correctional Center</u>		
	Current Job Title (or other identifying information)		
	<u>150 Park Row</u>		
	Current Work Address		
	<u>New York</u>	<u>NY</u>	<u>10007</u>
	County, City	State	Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: 150 Park Row New York, NY

Date(s) of occurrence: Saturday July 1, 2017 through August 31, 2017

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

On July 1, 2017 defendants Vernon, Rodriguez, Cruz, Padgett and Mercado attacked and assaulted plaintiffs using various weapons including sharpened metal screws, razors, chairs and Master combination locks while calling plaintiffs a variety of discriminatory slurs including "homo", "queer", "faggots", "pillow-biters" and "sissies". Defendants engaged in a campaign of discriminatory and harassing behavior toward plaintiffs on the basis of plaintiff's perceived sexual preference.

Defendant Rodriguez attacked plaintiff King striking him in the head with a Master combination lock in a sock and repeatedly struck plaintiff King in the head, face and body area while yelling "I hate you gay motherfuckers" and "faggot ass homo nigger". Defendant Rodriguez did also, during this same attack, strike plaintiff Santiago with clenched fist individually and in concert with defendants Mercado and Vernon while plaintiff Santiago attempted to flee. Defendants Vernon, Padgett, Mercado and Cruz accosted and unlawfully imprisoned plaintiffs in a room at knife point while defendant Rodriguez sodomized plaintiffs with a broom stick, struck plaintiff Santiago in his genitalia and testicles repeatedly and urinated on plaintiffs. Defendant Padgett, as the most senior leader of the crips street gang, of which all other defendants are also members



ordered defendants Rodriguez, Cruz, Vernon and Mercado to carry out this attack and did also participate striking plaintiff King in the head with clenched fists, chains and kicking, punching and stomping plaintiff King to the ground with the help of the other defendants. All defendants did over the course of the following two months ~~the~~ harass, spit on and assault plaintiffs during various encounters with defamatory slurs referencing plaintiffs rumored sexual preference. On August 16, 2017 defendant ~~Padgett~~ Padgett used string and batteries to create an impromptu launching mechanism with which defendant Padgett then used to fling feces at plaintiffs, yelling "fags".

#### INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Plaintiffs suffered significant mental and emotional trauma as a result of defendants actions including but not limited to post traumatic stress disorder, anxiety disorder and panic attacks. Plaintiffs also suffered contusions to the head, arms and legs, concussions, lacerations and abrasions to the eyes, mouth, arms, legs and back. Plaintiff Santiago now suffers from consistent testicular pain, bleeding from his penis and back and headaches. Both plaintiffs are undergoing treatment.

#### VI. RELIEF

State briefly what money damages or other relief you want the court to order.

Plaintiffs seek money damages from defendants in the amount of \$850,000.00 and reimbursement of court cost and filing fees.

## VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

9-19-17  
 Dated  
 Adora  
 First Name  
 150 Park Row  
 Prison Address  
 New York, NY  
 County, City  
 Adora King  
 Plaintiff's Signature  
 King  
 Last Name  
 NY  
 State  
 10007  
 Zip Code

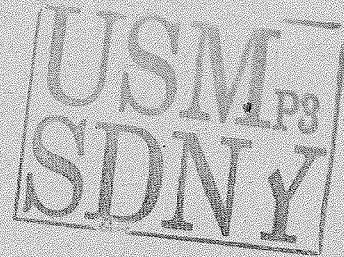
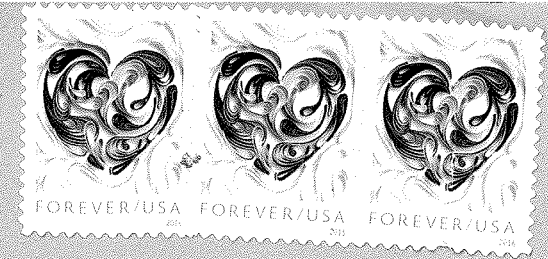
Date on which I am delivering this complaint to prison authorities for mailing: 9-19-17

Co-Plaintiff:

Angel  
 First Name  
 L  
 Middle Initial  
 Santiago  
 Last Name  
 Angel Santiago  
 Plaintiff's Signature



Adora King 13297021  
Metropolitan Correctional Center  
150 Park Row  
New York, N.Y. 10007



U.S. District Court, S.D.-N.Y.  
ATTN: Pro Se Intake Unit  
500 Pearl Street  
New York, N.Y. 10007

RECEIVED  
SDNY DOCKET UNIT  
2017 SEP 25 PM 3:22

